

JUL 19 1982

S 2355

Resource Impact

In order to implement this legislation, the Common Carrier Bureau estimates that two additional GS-14 attorneys and two additional GS-14 engineers would be required. The four additional positions would require approximately \$174,000 in compensation and benefits (9.5%). The attorneys would be primarily devoted to development and adoption of the rules to provide reasonable access to telephone service for the hearing-impaired. Due to the legislative requirement that the FCC establish technical standards to ensure compatibility of all telephones with hearing aids, two engineers are needed for this purpose.

This legislative proposal provides the FCC one year to complete the rulemakings necessary to implement the Bill. It appears, therefore, that the four positions would be required primarily during the first year after enactment of the Bill. The Common Carrier Bureau does not believe that absorption of the four positions is feasible due to other high priority Common Carrier programs which are currently underway. If this Bill is enacted, Common Carrier states that an additional four positions would be required.

After the rulemakings have been implemented by the Commission, Common Carrier estimates that approximately one workyear would be required over their current staffing levels, for ongoing enforcement and monitoring of the legislation. Also, any "other object" resources required for printing an FCC Fact Sheet or small informational pamphlet could probably be absorbed within existing resources.

## memorandum

DATE: July 15, 1982

REPLY TO  
ATTN OF: Leon Kestenbaum, Deputy Bureau Chief (Policy)

SUBJECT: Regulatory Impact of Senate Bill 2355's Enactment

TO: Riley Temple, Staff Counsel  
Senate Communications Subcommittee

S.2355 Would require the FCC to establish regulations to assure the hearing-impaired reasonable access to telephone service without discouraging or impairing the development of new technology. These regulations should also encourage the use of currently available technology to achieve this result. Under the bill, the Commission, after considering the costs and benefits to all users, would have to adopt: (1) regulations requiring that the design, manufacture and operation of all coin-operated public telephones be capable of coupling (by internal means) with hearing aids and (2) regulations setting labelling requirements for each telephone's packaging adequate to inform consumers whether that telephone is compatible with hearing aids. The bill would also authorize the Commission to establish technical standards ensuring the compatibility of all telephones with hearing aids and to require that other telephones frequently used by the public or provided for emergency use also be compatible with hearing aids. The bill allows the Commission one year to complete all rulemaking actions required to implement this law.

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Implementing this legislation would require a rulemaking proceeding (1) to develop and adopt regulations, including technical standards governing the design and manufacture of (at a minimum) coin-operated public telephones, to assure that hearing-impaired people would find these telephones to be compatible with their hearing aids and (2) to determine the information consumers needed to know whether a telephone is compatible with hearing aids and to require that this information be included on all telephones' packaging. 1/ Such a

1/ These would be the fewest issues that such a rulemaking could address and still effectively implement the bill. The proceeding could, and perhaps should, be expanded to consider such other issues as whether the Commission should extend the compatibility requirement to other new telephones used frequently by the public, coin operated public telephones already in place or phones for emergency use already in place and whether it should adopt procedural rules specifically to govern resolution of complaints that violations of either the compatibility or the notice requirements have occurred. See, e.g. 47 C.F.R. §68.400 et seq. (describing complaint procedures under the Commission's Part 68 program).

proceeding would call for staff possessing engineering expertise as well as the usual skills required for drafting Commission notices and orders. The duration of other Commission rulemaking proceedings indicates that this proceeding would take at least one year to complete. To fulfill the bill's intent that persons with hearing impairments have reasonable access to telephone service would also require enforcement of the regulations adopted, including some effort to monitor manufacturers' and telephone companies' compliance with these rules. 2/

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2/ The Domestic Facilities Branch of the Common Carrier Bureau already has an informal program to monitor compliance with Part 63 of the Commission's Rules. Each month the branch sends letters to randomly selected registrants requesting that they submit their equipment for review. The branch then inspects the equipment to determine whether it satisfies both technical standards and labelling requirements. The branch has found a more rigorous effort to monitor to be unnecessary since unhappy consumers are quick to complain when there is a problem with the equipment.